

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOHN LEOPOLDO FIORILLA,
INDIVIDUALLY and as TRUSTEE FBO
JOHN LEOPOLDO FIORILLA TRUST
U/A/D 06-25-2003,

Plaintiff,

v.

CITIGROUP GLOBAL MARKETS, INC.
and EDWARD JAMES MULCAHY, JR.,

Defendants.

Docket No.: 1:17-cv-05123-PKC

Hon. P. Kevin Castel, U.S.D.J.

**DECLARATION OF ERIC H. JASO IN
OPPOSITION TO DEFENDANTS'
MOTION TO DISMISS THE SECOND
AMENDED COMPLAINT**

ERIC H. JASO, of full age, declares pursuant to 28 U.S.C. § 1746:

1. I am a partner of the law firm Spiro Harrison, attorneys for Plaintiff John Leopoldo Fiorilla. I submit this declaration in opposition to Defendants' Motion to Dismiss the Second Amended Complaint.
2. Attached hereto are true and correct copies of the following documents, which are cited in Plaintiff's Memorandum of Law in Opposition to Defendants' Motion to Dismiss the Second Amended Complaint:

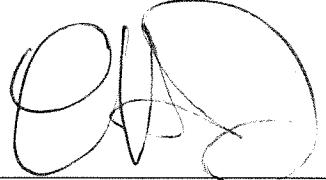
Exhibit A: Email from David Hantman to Steven Toskes dated May 8, 2012, attaching a draft Settlement Agremeent

Exhibit B: Email from Steven Toskes to David Hantman dated May 8, 2012

Exhibit C: Order and Judgment dated Feb. 4, 2014

3. I declare under penalty of perjury that the foregoing is true and correct.

Dated: Short Hills, New Jersey
December 8, 2017



Eric H. Jaso